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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,240	08/02/2001	Jason Wayne Wrape	00970	6011

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EXAMINER

CHANKONG, DOHM

ART UNIT PAPER NUMBER

2152

DATE MAILED: 01/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/921,240

Applicant(s)

WRAPE, JASON WAYNE

Examiner

Dohm Chankong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1> This action is in response to Applicant's amendment and request for continued examination. Claims 1-20 are presented for further examination.

2> This is a non-final rejection.

Continued Examination Under 37 CFR 1.114

3> A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11.1.2005 has been entered.

Response to Arguments

4> Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

5> Additionally, in regards to claim 1, Applicant asserts that the Ditmer reference does not teach storing identifiers prior to the access module communicates for the identifier and points to passages in Ditmer that detail "polling". Applicant seems to suggest that Ditmer discloses dynamically accessing the identifier information through a polling process. However, Ditmer discloses throughout his specification that a user is enabled to access

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reports concerning virtual connections, including being able to specify a report range of the previous 45 days [column 18 «lines 34-36»]. The report provides virtual connection information to the user including identifier information (DLCI) [column 21 «lines 15-44»]. Being able to provide reports based on the previous 45 days supports the notion that the identifiers may be stored prior to when the user desires to access it.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6> Claims 1, 2, 13 and 16-19 are rejected under 35 U.S.C § 103(a) as being unpatentable over Ashton.

7> As to claim 1, Ashton discloses a system for remotely displaying network configuration information for a first network that comprises at least one virtual connection, wherein the virtual connection has an endpoint associated with an identifiers and wherein a network management system communicates with the first network to store the identifier [Figure 1 | column 3 «lines 10-43»], the system comprising:

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a remote access module in communication with the management network system
8> over a network connection via a second network to obtain the identifier [Figure 1
«items 14, 15» | column 5 «lines 1-6» | column 6 «lines 3-27» where : Ashton's control
programs correspond to remote access modules], and for remotely displaying the identifier
over an external third network [Figure 1 | column 3 «lines 1-32» | column 5 «lines 26-63»
where : Ashton discloses nodes and control programs connected over multiple networks and
the network management system responsible for displaying connection information to the
nodes to connect to nodes in other networks], wherein the network management system
contains the identifier stored prior to the remote access module communicating for the
identifier [column 3 «lines 1-9» | column 5 «lines 40-52» | column 7 «lines 24-32»].

9> As to claim 2, Ashton discloses a remote access module including:

a server device for communicating with a client device and for communicating with
the network management system [Figures 1 & 2 | column 5 «lines 10-25»]; and

a network management module, for communicating with the network management
system via the server device, for displaying the identifier over the external third network
[Figure 2 | column 6 «lines 7-27»].

10> As to claims 13 and 16, Ashton discloses a system for provisioning an identifier to be
associated with an endpoint of a new virtual connection for a switch in a first network in
communication with a network management system for storing switch identifiers, the
system comprising:

means for querying the network management system with a network management module over a second network to obtain the existing switch identifiers, wherein the existing switch identifiers were stored by the network management system prior to the query [column 3 «lines 1-9» | column 5 «lines 40-52» | column 7 «lines 13-38»];

means for displaying the existing switch identifiers over an external third network using the network management module [column 3 «lines 1-9»]; and

means for provisioning a unique identifier for a new virtual connection for the switch, wherein the unique identifier differs from the displayed switch identifiers [column 3 «lines 33-43» | column 7 «line 47» to column 8 «line 12»].

11> As to claims 14 and 15, Ashton discloses connecting the network management module using a client-server architecture and querying the network management system with a client device [Figure 1 | column 7 «lines 13-38» | column 12 «line 54» to column 13 «line 13»].

12> As to claims 17, 18, and 19, Ashton discloses a frame relay network and a DLCI [Figure 1 | column 3 «lines 10-32»], a virtual circuit [column 3 «lines 10-32»] and a permanent virtual circuit [column 12 «lines 54-67»].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art

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are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13> Claims 1-7, 10-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ditmer et al, U.S Patent No. 6,490,620 ["Ditmer"], in view of Ashton et al, U.S Patent No. 6,181,679 ["Ashton"].

14> Regarding claim 1, Ditmer discloses a method, computer software and apparatus (hereafter collectively referred to as "system") for remotely displaying network configuration information for a first network that comprises at least one virtual connection, wherein the virtual connection has an endpoint associated with an identifier and wherein a network management system communicates with the first network to store the identifier, the system comprising: a remote access module in communication with the network management system over a network connection via a second network to obtain the identifier, and for remotely displaying the identifier over an external third network (Ditmer teaches a web based reporting downloadable module, which is loaded from a server to a client device, i.e., remote access module. Since the client device is able to load software module from the server, inherently they are coupled to each other. The client device is connected to a sever via public network, and capable of accessing a sever within MCI intranet network and retrieving information relating identifiers, connections or the like from the server to present to its client device using browser and applet. The client device with browser is capable of getting, setting and presenting PVC, e.g., obtaining and displaying link identifier. In addition, Ditmer's inventive concept supports heterogeneous networks, which includes

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Frame relay network. [See Fig.5, 12-13, Col.2, lines 28-67; Col.18, lines 10-44; Col.21, lines 15-44]].

Ditmer does not expressly disclose the network management system containing the identifier stored prior to the module communicating for the identifier.

15> In a similar field of invention, Ashton is directed towards network management system that centrally stores virtual connection information and is accessible by various network modules over multiple networks [Figure 1 | column 2 «line 64» to column 3 «line 16» | column 4 «line 66» to column 5 «line 3»]. Ashton's system is comparable to the network management system in Ditmer in that a user is enabled to retrieve virtual connection information, including identifiers, and provisioning these identifiers [see Ashton, column 3 «lines 10-43»].

Ashton expressly discloses a network management system containing the identifier stored prior to the module communicating for the identifier [column 3 «lines 1-9» | column 5 «lines 40-52» | column 7 «lines 24-32» where: the virtual connection information is stored as "vectors" at the network management system]. As discussed previously, Ditmer disclosed functionality of providing reports from the previous 45 days suggesting storing of the identifiers. Ashton explicitly discloses such functionality and provides further motivation to modify Ditmer central management system to store the identifiers before they are requested such that it can efficiently manage the nodes within the networks [see Ashton, column 3 «lines 59-67»].

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16> Regarding claim 2, Ditmer discloses, a server device for communicating with the network management system; and a network management module, for communicating with the network management system via the server device, for displaying the identifier over the external third network (Fig 12-13, Col.18, lines 10-44).

17> Regarding claim 3, Ditmer discloses, web site (item 24 Fig. 2).

18> Regarding claim 4, Ditmer discloses, web site includes a data link connection identifier query web page for inputting an identifier query of the network management system, (Fig. 12-13).

19> Regarding claim 5, Ditmer discloses, the identifier query includes a port name, (item 373 Fig 12(e)).

20> Regarding claim 6, Ditmer discloses, web site includes an identifier search results web page for communicating the results of the identifier query, (Fig. 12-13).

21> Regarding claim 7, Ditmer discloses identifier search results web page is configured to display source and destination configuration information for the port, (Fig 12-13, Col.21, lines 15-44).

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22> Regarding claims 10, 13 and 16, Ditmer discloses a method (system and medium) for provisioning a data link connection identifier in a network upon request from a web browser, wherein the network comprises at least one virtual connection, and wherein the virtual connection has an endpoint associated with an identifier, the method comprising:

connecting a network management system to the first network, wherein the network management stores the identifier [Fig.5, 12-13, Col.2, lines 28-67; Col.18, lines 10-44; Col.21, lines 15-44];

connecting a network management module to the network management system via a second network to obtain the identifier, wherein the network management module is capable of remotely displaying the identifier over an external third network [Fig.5, 12-13, Col.2, lines 28-67; Col.18, lines 10-44; Col.21, lines 15-44];

querying the network management system with the network management module over the second network [Fig.5, 12-13, Col.2, lines 28-67; column 14 «lines 33-42»]; and

displaying the identifier over the external third network using the network management module [column 21 «lines 35-45»].

Ditmer does not expressly disclose: (a) storing the identifier prior to the request from the web browser nor does he disclose: (b) provisioning a unique identifier for a new virtual connection, wherein the unique identifier differs from the displayed identifier.

23> In regards to (a), see rejection of claim 1 in this action. In regards to (b), Ashton discloses provisioning a unique identifier for a new virtual connection, wherein the unique identifier differs from a displayed identifier [column 4 «lines 17-22» | column 7 «line 47» to

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column 8 «line 12» where : Ashton provides alternate route provisioning]. It would have been obvious to one of ordinary skill in the art to modify Ditmer's management system to incorporate Ashton's provisioning functionality. Such a combination would improve Ditmer by providing his system the capability of establishing alternate virtual connections at a node [see Ashton, column 3 «lines 33-43»].

24> Regarding claims 11-12, Ditmer discloses connecting a network management module includes connecting the network management system using client-server architecture, (Fig. 2, 12-13; Col.2, lines 9-67).

25> Regarding claims 14-15, Ditmer discloses, means for connecting using client-server architecture, (Fig. 2, 12-13; Col.2, lines 9-67).

26> Regarding claims 17-19, Ditmer discloses, the network is a frame relay network and wherein the identifier is a data link connection identifier, virtual circuit, permanent virtual circuit, (Col.21, lines 15-44).

27> Regarding claim 20, Ditmer discloses, network is a frame relay network, wherein the identifier is a data link connection identifier and wherein the virtual connection is a virtual circuit, (Fig. 2, 12-13; Col.2, lines 9-67).

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28> Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ditmer, as applied to claim 7, in view of what was well known in the art.

29> Regarding claim 8, Ditmer discloses the invention substantially but it is silent on selecting Frame Relay topologies the group consisting of full mesh, partial mesh and ring. Official notice is taken that mesh partial mesh and ring were well known network topologies and have readily and routinely been utilized in various networking protocol including in a Frame Relay. Thus, including variation of existing network topologies, for users' selection, would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to do so, because it would enhance flexibility and capability of Dittmer's customer networking management.

30> Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ditmer, as applied to claim 2.

31> Regarding claim 9, Ditmer discloses the invention substantially but it is silent on applying the invention concept to a peer-to-peer network. However, applying Ditmer's inventive concept, which is capable of managing network connection at client station, i.e., remote access module, for the same objective with other network protocol such as peer-to-peer, would have been obvious to one of ordinary skilled in the art at the time of applicant's invention was made that merely an intended use which would be a matter of design choice, which would dictate by desirable application.

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32> Claims 10-12 and 20 are rejected under 35 U.S.C § 103(a) as being unpatentable over Ashton in view of Ditmer.

33> As to claim 10, a method for provisioning a data link connection identifier in a network, wherein the network comprises at least one virtual connection, and wherein the virtual connection has an endpoint associated with an identifier, the method comprising:

connecting a network management system to the first network, wherein the network management stores the identifier [Figure 1 | column 8 «lines 21-40»];

connecting a network management module to the network management system via a second network to obtain the identifier, wherein the network management module is capable of remotely displaying the identifier over an external third network [Figure 1 «item 15» | column 3 «lines 1-9» | column 6 «lines 3-27 and 43-63»];

querying the network management system with the network management module over the second network [column 8 «lines 2-12»];

displaying the identifier over the external third network using the network management module [column 16 «lines 12-30»]; and

provisioning a unique identifier for a new virtual connection, wherein the unique identifier differs from the displayed identifier [column 3 «lines 33-43»].

Ashton does not expressly disclose utilizing a web browser.

34> Ashton discloses workstations utilizing applications to interact and submit requests over a network, but does not expressly disclose a browser. In the same field of invention,

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Ditmer discloses workstations interacting over a network using a web browser to submit requests [abstract]. It would have been obvious to one of ordinary skill in the art to modify Ashton to include web browser functionality such that users can utilize the browser to provision and customize his network.

35> As to claims 11 and 12, Ashton discloses connecting the network management module using a client-server architecture and querying the network management system with a client device [Figure 1 | column 7 «lines 13-38» | column 12 «line 54» to column 13 «line 13»].

36> As to claim 20, Ashton discloses a frame relay network and a DLCI [Figure 1 | column 3 «lines 10-32»] and a virtual circuit [column 3 «lines 10-32»].

Conclusion

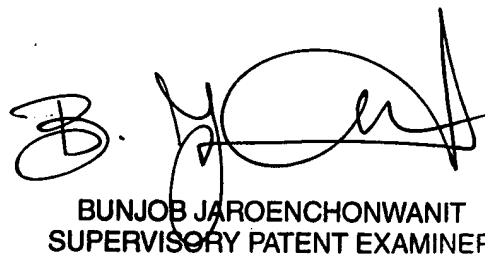
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is 571.272.3942. The examiner can normally be reached on Monday-Thursday [7:00 AM to 5:00 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DC



BUNJOB JAROENCHONWANIT
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